

BOARD OF DIRECTORS – ACTION SUMMARY
Wednesday, May 12, 2004 – 6:00 p.m.

Administration Building
2101 Hurley Way, Sacramento, CA

CALL TO ORDER

The meeting was called to order by Vice President Jones. Board Members present: Duveneck, Engellenner, Jones, Granados, Lawson, Trujillo, Valley. Directors Goold, Stewart, absent. Staff: Fire Chief Martinez, General Counsel Price, Board Clerk Tilson.

PLEDGE OF ALLEGIANCE

**PUBLIC OPPORTUNITY TO DISCUSS MATTERS OF PUBLIC INTEREST WITHIN
DISTRICT JURISDICTION INCLUDING ITEMS ON OR NOT ON THE AGENDA**

CONSENT AGENDA:

1. **Special Board Meeting Action Summary—April 15, 2004**
2. **Board Meeting Action Summary—April 28, 2004**
 - **Board Action:**
Engellenner/Trujillo—approve the Consent Agenda. Directors Duveneck, Engellenner, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Goold, Stewart, absent. Motion carried.

ACTION ITEM(S)

1. **Resolution No. 27-04 – Industrial Disability Retirement Application--
Firefighter James J. Learmonth—(Appel)**
[Taken out of order after Closed Session]
 - James Learmonth stated he appeared before the Board on February 4, 2004, and submitted a request to use his sick leave to extend his retirement date to June 4; Brian Rice of Local 522 spoke in support. He outlined the progression of events since that time; again requesting that the Board allow him to use his sick leave until June 4, 2004, and resume receiving full paychecks until that retirement date.

Action taken following the Closed Session.

- Work related injury precluding performance of duties in the position of Firefighter.
- Application filed with the Public Employees' Retirement System.
- Staff recommends adoption of the Resolution; retirement effective March 30, 2004.
- **Board Action:**
Engellenner/Trujillo—Adopt the Resolution. Directors Duveneck, Engellenner, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Goold, Stewart, absent. Motion carried.

**2. Resolution No. 28-04 – Industrial Disability Retirement Application--
EMS Coordinator David R. Massengale—(Appel)**

[Taken out of order after Closed Session]

- Work related injury precluding performance of duties in the position of EMS Coordinator.
- Application filed with the Public Employees' Retirement System.
- Recommend approval; retirement effective May 13, 2004.
- **Board Action:**
Engellenner/Trujillo—Adopt the Resolution. Directors Duveneck, Engellenner, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Goold, Stewart, absent. Motion carried.

**3. Resolution No. 29-04 – Calling for Election/Consolidation with
Statewide General Election—(Price)**

- Staff recommends adoption of the required Resolution calling for the General District Election in Sacramento County to be consolidated with the statewide election on November 2, 2004, for the purpose of electing Directors for Divisions 2, 4, 5, 6, and 8.
- **Board Action:**
Granados/Engellenner—Adopt the Resolution. Directors Duveneck, Engellenner, Granados, Jones, Lawson, Trujillo, Valley, AYE. Directors Goold, Stewart, absent. Motion carried.

4. 2004 Strategic Objective—(Granados)

[Taken out of order after Closed Session]

- At the Board Workshop the directors were requested to submit priorities, with Fire Chief Martinez presenting his list of challenges for the year.

The Policy Committee recommended this item be continued pending additional input from all directors.

- Fire Chief Martinez to provide notes on modification of policies from Martin Nelson to see if it elicits any thoughts.

Relative to the one objective submitted, the District conducts an independent financial audit annually instead of the current law requirement of once every two years. The audit for the prior year should be available next month.

SB-1272 (Ortiz)—financial governance—this bill if passed contains a provision that will require rotation of auditors—bullet points to be provided for update on progress.

- Include goals or guidelines for projected expenditures for staffing as related to revenues.
- Consider the Strategic Objectives and provide some detail at a full Board meeting when all directors are present.
- **Board Action:**
General consensus that the Strategic Objectives be placed on the June 9 Board meeting agenda.

PRESENTATION ITEM(S):**1. UPDATE ON LAPTOP USE—(Ritter)**

[Taken out of order after Closed Session]

- Deputy Chief Ritter distributed to the Board a five-page instructional report outlining the process for Accessing Multiple Electronic Documents on CD with ease.

PRESIDENT'S REPORT—(Stewart) None

FIRE CHIEF'S REPORT—(Fire Chief Martinez)

- Conducted the candidate interview process for Director of Finance; anticipate early June for hiring.
- Promotional ceremony conducted May 4 for six Engineers and a Fire Inspector II.
- Attended the Cap to Cap in Washington, D.C., sponsored by the Metropolitan Chamber of Commerce. Two priorities involved Homeland Security for maintaining the Coast Guard Air Station at McClellan and funding for development of that site for the public safety training center and mitigation of the hazardous materials and ecological issues.
- In response to a previous inquiry by Director Trujillo, installation of the David Clark vehicle intercom headsets on fire engines requires about 30 hours per unit.

Director Trujillo stated that Chief Ritter provided a full report and they will get together to allow him an opportunity to observe the process.

- May 26 Board meeting—will be absent. Metro is co-hosting the 2004 Metropolitan Fire Chiefs Conference May 22–27 in Sacramento and he will be attending.
- Updated the Board on the Governor's budget proposal presented today. Cities and counties seem to be closing in on a two-year shift of a portion of money to the State. At the end of the two-year shift, there will be a constitutional protection to remove any possibility of the State shifting property tax funds again from local government.

Our District is one of the few special districts with a multi-county exemption and we have battled this issue every year. If an agreeable number can be negotiated for a two-year property tax shift with protection thereafter, it is better than losing our exemption.

The State budget issue is being watched. Deferring any change in our budget was the right thing to do until more information is available, probably in July.

- In response to Director Trujillo, Fire Chief Martinez stated he was informed a week ago that the Department of Finance in correlation with the Governor's Office will be sending the check in payment of his services.

GENERAL COUNSEL'S REPORT—(Price)

- Deputy Chief Latta advised him that one or more directors will be attending the training session sponsored by Local 522 [May 19]. Reminded the Board that if a quorum of either standing committees or Board is together at that function, district business is not allowed to be discussed in accordance with the Brown Act.

Directors Lawson, Trujillo, Granados and Engellenner to attend, not constituting a quorum.

- Director Trujillo inquired when the Deputy Chiefs were sworn in and received their title.

Fire Chief Martinez stated, for the record, he does not have to swear anybody in except for new Firefighters and has never sworn in any of the staff.

Counsel Price stated Metro Fire District came into existence on December 1, 2000. There was a badge ceremony the weekend after Thanksgiving on Friday, Saturday, and Sunday prior to December 1, 2000. Only the Sacramento County people that came over were sworn in. Assistant Chief of Finance and the Deputy Chief of Administration held that rank at American River since 1989 and were sworn in then so nothing changed when we reorganized. The Deputy Chief of Human Resources received her badge at the badge ceremony. Deputy Chief Latta received his badge over one year ago [2003] and Deputy Chief Plessas the year prior [2002].

COMMITTEE AND DELEGATE REPORTS:**Executive Committee—(Stewart)**

- Next meeting: TBA

Communications Center Delegate—(Engellenner)

- Interview three final candidates on May 28. Board will be informed of Comm Center Manager selection.
- Next Meeting: May 25, 2004 – 10:30 a.m.

California Fire & Rescue Training Authority—(Goold)

- Next Meeting: June 7, 2004 – 10:00 a.m.

Finance Committee—(Jones)

- Next Meeting May 26, 2004 at 5:00 p.m.

Policy Committee—(Granados)

- Presentation received on today's meeting. Committee was briefed on 11 bills.
- Next meeting: June 9, 2004 – 5:00 p.m.

RECESS TO CLOSED SESSION 6:25 PM**RECONVENE TO OPEN SESSION 6:50 PM**

Report by General Counsel Price:

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to California Government Code Section 54956.9(a) – Four (4) Cases

- a. James J. Learmonth vs. Sacramento Metropolitan Fire District
WCAB SAC 0324418

Discussion with Board. No action taken.

The retirement Resolution for consideration under Action Item No. 1.

- b. David Massengale vs. Sacramento Metropolitan Fire District
Claim Number 6221030600

The Board discussed the medical basis for this retirement. No action taken.

Resolution for consideration under Action Item No. 2

- c. Brian Evers vs. Sacramento Metropolitan Fire District
Claim Number 6221020367

The Board extended settlement authority. If and when a settlement is effectuated, the terms of the settlement will be reported at a subsequent open session.

- d. Gary Monk vs. Sacramento Metropolitan Fire District
Sacramento County Superior Court Action No. 04AS00665

No discussion—to be taken up at a subsequent meeting.

2. PERSONNEL MATTERS

Pursuant to the California Government Code Section 54957
Communications Center

The Board received information concerning issues at the Communications Center. No action taken.

BOARD QUESTIONS AND COMMENTS**Trujillo:**

- Ad hoc subcommittee meeting was held on the Investigator job description with Directors Lawson and Jones, and Fire Marshal Dobson. Also present were some of the Investigators and Rich Schmiedt of Local 522.

Director Jones stated some Federal grant monies are available and an investigative evaluator will audit the program in the summer timeline.

Strong consensus to wait for the audit and consider the recommendations derived from this analysis.

Director Lawson stated it was very informational and appreciated the efforts of Fire Marshal Dobson.
- Thanked Chief Dobson for putting the ad hoc committee meeting together. At the invitation of Supervising Investigator Tom McKinnon that same evening, he participated in a ride-along and witnessed the entire investigation process of an arson case at a school on Engle Road—very educational.

Valley:

- Inquired on the status of the helicopter program.

Director Jones stated Copter 1 is performing successfully. At a multi-agency fire today it made multiple drops and saved about four additional Metro resources from being committed to a grass fire.

Fire Chief Martinez—the helicopter will be in service on a full-time basis for the fire season starting May 17.
 - There will be fewer resources again this year and a greater need. The OES Chief indicated that CDF will be unable to meet their needs as well as local government requests. Orders through CDF are billed; if we offer local government, there is no charge unless financial arrangements are made. This is a resource for our District and there is a need to limit our exposure.

Lawson:

- Requested a copy of the Channel 3 videotape on special districts prior to May 19, for possible use at the meeting he is attending with Chuck Horel on Fire Station 32.
- Congratulated the six Engineers and Fire Inspector II that were promoted in April and May.
- He visited Station 31 last week and thanked the crew for taking his godson on a ride-along.

Granados:

- Acknowledged the presence of Anita Wright who is retiring from the District. He has known her for a long time and she has done a wonderful job both at Sacramento County and at Sacramento Metro. Wanted to let everyone know we are losing a real asset.
- Requested information on the number of people presently on workers compensation to include rank and nature of injury. Mainly trying to see what type of exposure is involved in view of the changes in Workers' Compensation. The District takes industrial disability of employees very seriously and this administration has done a wonderful job in trying to accommodate our people.

Engellenner:

- The City and County are going to propose a \$2 surtax for 9-1-1. The City estimates their share at \$4 million for their Communications Center and about \$6.5 - \$7 million for the County. Inquired if we are going to get a portion.

Martinez:

- Engaged in discussion on behalf of the District but only City Councils and Boards of Supervisors can levy that particular fee. The position taken is to levy the fee for public safety and communications of which we are a part for the unincorporated area; then deal specifically with the cities of Rancho Cordova and Citrus Heights.

Noted the unfortunate loss of Dave Roberts as a member of our community but also as a big supporter of Metro Fire who would have been a strong proponent in making that happen.

ADJOURNMENT: The meeting was adjourned at 8:00 p.m.

James M. Stewart, President

H. Peter Engellenner, Secretary

Charlotte Tilson, Clerk of the Board